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Attorney Docket No. 49673 CPA (72024)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) Proost, et al. EXAMINER: Roark, Jessica H.
U.S.S.N.: 09/537,859 GROUP: 1644
FILED (U.S.): March 28, 2000 Conf. No. 5520
FOR: AMINO-TERMINALLY TRUNCATED MCP-2 AS CHEMOKINE
ANTAGAONISTS

Mail Stop SEQUENCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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I hereby certify that this correspondence is being deposited with the United States Postal Service, as Express Mail Label No. EV 438992598 US, postage prepaid, in an envelope addressed to: Mail Stop SEQUENCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 4, 2004.

By: _____

Rachelle Chery
Rachelle Chery

Sir/Madam:

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID
SEQUENCE DISCLOSURES**

The following is in response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, mailed February 6, 2004, in the above-referenced application.

Enclosed herewith for filing in the subject application are the following:

1. Copy of Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acids Sequence Disclosures (3 pages);
2. New Computer Readable Form (CRF) of Sequence Listing (1 disc);
3. Amendment directing entry of Paper Copy of Sequence Listing into specification as well as a substitute paper copy of the Sequence Listing (7 pages); and
4. Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§ 1.821-1.825 prepared by consultant (1 page).

Applicants believe that no extension of time is required since this response is being filed before the expiration of the specified time period. Applicants, however, conditionally petition for an extension of time to provide for the possibility that such a petition has been inadvertently overlooked and is required. If any fee is required, you are hereby authorized and requested to charge Deposit Account No. 04-1105.

Respectfully submitted,

Date: March 4, 2004

Dianne Rees
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PFC/DIRE

4963 (72074)

COPY

CPA



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/537,859

03/28/2004

Paul Proost

49673

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02/06/2004

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EXAMINER

ROARK, JESSICA H

ART UNIT

PAPER NUMBER

1644

DATE MAILED: 02/06/2004

RECEIVED

FEB 09 2004

EDWARDS & ANGELL, LLP
IP DOCKETING DEPT. (BOS)

Please find below and/or attached an Office communication concerning this application or proceeding.

SEQUENCE Listing

Edwards & Angell LLP

101 Federal St. Boston, MA 02110

Docketed For

By

Approved



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

09/537 859 APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER <i>Roark</i>	
ART UNIT 1644	PAPER 02032004

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

After further review it is noted that the Sequence Listing filed 1/22/03 includes SEQ ID NO:5, but SEQ ID NO:5 was not included in the CRF, as shown on the attached raw sequence listing.

Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

APPLICANT IS GIVEN 30 days FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jessica Roark, whose telephone number is (571) 272-0848. The examiner can normally be reached Monday from 8:30 to 5:00, and Tuesday/Thursday from 10:00 to 4:00. A message may be left on the examiner's voice mail service. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Chan can be reached at (571) 272-0841. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center 1600 receptionist whose telephone number is (703) 308-0196.

Jessica Roark
Art Unit 1644
Technology Center 1600
February 3, 2004

Phillip Gambel
PHILLIP GAMBEL, PH.D
DEPUTY EXAMINER
TCU Center 1600
2/3/04